

REMARKS

Claim 1 is amended and new claim 9, corresponding to canceled claims 8 and 4, added. No new matter has been presented.

Claims 1-7 have been rejected under 35 USC 103(a) as unpatentable over Hiller in view of Forsl w. The rejection is respectfully traversed.

I. The Invention

The claimed invention as discloses a method for transferring an IP packet over a path from a sender over a radio access network to a mobile host. For transferring the IP packet, a preconfigured label switched path is used in case such a path from the home agent to the foreign agent exists. A preconfigured label switched path between the foreign agent and a home agent of the mobile host is neither created nor modified in the course of a handover of the mobile host from one foreign agent to another foreign agent. Hence, the preconfigured label switched paths are statically administered (see page 5, lines 24-25).

Apart from the general advantages of Multi-Protocol Label Path Switching (MPLS), the use of statically administered preconfigured label switched paths provides the advantage that the signaling load in the network is reduced and a handover delay is independent of setup time for label switched paths (see page 6, lines 26-28).

II. The Prior Art

A discussion of the Hiller reference may be found in the previously files responses. Forsl w is cited for the deficiencies of Hiller.

Forsl w discloses a public mobile access data network providing a mobile node data access to the Internet, and a data access to the mobile node from the Internet even when a point of attachment of the mobile node to the public mobile access data network changes. A public mobility management service is provided to locate mobile nodes so that the Internet is aware of the mobile node's current point of attachment. Mobile Internet protocol may be used at the network protocol layer to provide a public mobility service. The mobile IP packets are carried using Multi-Protocol Label path switching (MPLS) label switched paths, which provide a number of benefits such as tunneling flexibility, configurability, and efficiency.

III. Patentable Differences between the Invention and the Prior Art

By contrast to the claimed invention, Hiller does not disclose that a preconfigured label switched path between a home agent and a foreign agent is used for forwarding an IP data packet

to a mobile host respectively a mobile node, as noted by the Examiner (see Office Action page 4). Forsl w is cited by the Examiner as disclosing this feature. Applicants respectfully disagree. Although the Forsl w discloses the use of preconfigured label switched paths, there reference fails to disclose the use of statically administered pre-configured label switched paths, which remain unchanged even if a mobile host performs a handover between two foreign home agents.

Additionally, by contrast to the claimed invention, Forsl w (abstract) describes advantages of the specific modality of how MPLS is implemented in the described public mobile data network. Specifically, MPLS provides the benefit of a tunneling flexibility and a configurability. Therefore, when combining the technical disclosures of Hiller and Forsl w, a person skilled in the art will not arrive at the claimed invention. Even assuming *arguendo* that a person skilled in the art may apply the technology of MPLS as described by Forsl w for the method and the system according to Hiller, the person skilled in the art would not use statically administered preconfigured label switched paths. This is because (a) the Forsl w is completely silent about statically administered preconfigured label switched paths and (b) Hiller suggests the implementation of preconfigured label switched paths because of a high tunneling flexibility and a high configurability. However, these advantages are not or at least not completely given when employing statically administered preconfigured label switched paths.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket 118744-100.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Kevin R. Spivak

Reg. No. 43,148

Customer No. 29177

Dated: February 21, 2008